

MORSE INDICTED ON 29 COUNTS BY U. S. GRAND JURY

Charged With Conspiracy and
False Entry in National
Bank of North America.

HE GIVES \$30,000 BAIL.

Jointly Accused With Alfred
H. Curtis, Former Presi-
dent of the Bank.

A joint indictment charging Charles W. Morse and Alfred H. Curtis with conspiracy and false entry, found by the Federal Grand Jury, was filed before Judge Hough in the United States District Court today. The indictment, which covers 140 printed pages, embraces twenty-nine counts. Eleven counts charge conspiracy to defraud the United States by devising officers of the Government charged with the examination and supervision of national banks, and eighteen counts charge the making of false entries in the books of account of the National Bank of North America in furtherance of the conspiracy.

Conspiracy, in the sense covered by the indictment, is a misdemeanor punishable by not less than two years' imprisonment, or a fine of \$5,000, or both. On the false entry charge, which constitutes a misdemeanor, the penalty is imprisonment for not less than five years, without the option of a fine.

Curtis was formerly president of the National Bank of North America, which Morse controlled. Both men were notified last night that the indictment had been found, and were on hand at the opening of court today with counsel. Curtis was accompanied by his wife, also. Bail was fixed at \$30,000 for Morse and \$10,000 for Curtis, and was furnished by both men.

Morse was represented in court by James L. Gifford. Curtis was represented by William M. K. Olcott. The lawyers requested time to examine the indictment before pleading and the arraignment for pleading was set for the first week of April. Morse, who did not appear to be worried, said concerning the indictment:

"Of course I have not examined it, but I think I know the charge in a general way. It looks to me as though the mountain had brought forth a mouse."

Charge General Conspiracy.

The first count of the indictment charges general conspiracy between Morse and Curtis on one hand and persons unknown to the Grand Jury on the other to defraud the United States Government by deceiving the bank examiners. The count sets forth various specifications and alleges that conspirators in stocks with the funds of the bank were hidden under the guise of loans to individuals for the sole purpose of deceiving and misleading the examiners representing the Government.

The second count sets forth the false entries in general detail in books and reports.

Counts three to ten, inclusive, set forth specific transactions comprising specific conspiracies and false entries. Entry of Dec. 8, 1906, purporting to show a loan of \$123,400 to Davidson Braun, later transferred to Leslie Whiting, a clerk in the office of Primrose & Brauns, stock brokers. This loan, the indictment alleges, was fictitious, and the money was really used in speculation in the stock of the American Ice Company.

A Knickerbocker Deal.

The eleventh count is a conspiracy charge and deals with a transaction by which E. B. Wise, cashier of the National Bank of North America, borrowed \$25,000 from the Knickerbocker Trust Company, and the National Bank of North America deposited \$25,000 with the Knickerbocker Trust Company to offset the loan. By this transaction, the indictment charges, the \$25,000 was virtually taken from the National Bank of North America. The money, the indictment alleges, was used by Morse in financing his conspired relationship scheme.

Counts 12 to 29 deal with false entries. Counts 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, deal with details of the Knickerbocker Trust Company transaction and show how, in order to deceive the bank examiners, the account was falsified to bring the Mercantile National Bank into the picture. Counts 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, deal with the account of the Knickerbocker Trust Company, which was made to K. A. Wilson. The indictment alleges that "K. A. Wilson" is the woman private secretary to Charles W. Morse. She appears as indicated in the sum of \$125,395.25. The indictment charges that she did not use the money, but that Morse utilized it in speculation in stock of the National Bank of North America.

Charges Overdrawals.

Counts 21 to 29 deal with misapplication of funds under the conspiracy. The Grand Jury charged that while the bank was in the hands of the Knickerbocker Trust Company, the account was overdrawn by Morse to the extent of \$20,000.

The withdrawals were by check and the various transactions are set forth in the indictment. They show that Morse was engaged in speculation right up to the date of the failure of the bank. Among the checks specified are the following:

Aug. 1, Helme, \$100,000; Hadley, Leary, and Smith, \$10,000; Mayer & Co., \$10,000; Shoenacker, Bates & Co., \$10,000; National Bank of North America, \$10,000; Arthur Lipper & Co., \$20,000.

It is the intention of United States District Attorney Stinson to try Morse and Curtis jointly in the same indictment. He anticipates, however, that counsel for the men will make every possible effort to secure separate trials.

COURT REFUSES TO VACATE MORSE ATTACHMENT.

Justice O'Gorman to-day denied the application of Charles W. Morse for an

Divorce Is Social Surgery; Separation Makes Emotional Highwaymen of Husbands and Wives

One Cures a Cancer, the Other Creates New Problems, Says Nixola Greeley-Smith, Replying to Margaret Deland.

JUDICIAL SEPARATION IS
MERELY UNLINKED MISERY.

It Decrees That Nowhere on Earth
May Two Human Beings Find
Love and Happiness
Within the Law.

By Nixola Greeley-Smith.



NIXOLA GREELEY-SMITH

Divorce she disposed of in this manner:

"If my happiness in remarriage lessons in my brother's eyes the permanence of marriage, then will I give up my happiness."

"One hears sometimes a very high individual morality protest; that it is base for a man and woman who hate each other to live together. But the individual morality which recognizes the baseness of marriage without respect and love is not content with legal separation, which will answer the purpose of safety, honor and decency."

"Here righteous individualism indirectly attacks society, because it attacks the permanence of marriage, on which family, State, society and civilization rest."

"It is obvious that this is at the bottom of our loose divorce laws. It is leaning chastely, under the guise of a high perception of affluities, toward love."

CREATION OF EMOTIONAL HIGHWAYMEN.

I wonder if Mrs. Deland has asked herself why, if the individual has the right to refuse to bring children into the world, thus setting her own conception of duty above that of religion—she has not a greater justification in upholding her individual ideal of marriage and divorce.

Mrs. Deland says that in cases of irreconcilable marital discord legal separation answers "every purpose of safety, honor and decency." Yet Mrs. Deland is a thoughtful woman in middle life, who has dwelt among human beings and knows presumably the strength and permanence of human passions.

Divorce, she says, is a social surgery, and by lawing her fiancé away from his wife, she is creating a new social problem. She is creating a new social problem, far from tending to safety, honor and decency, far from turning each suddenly into a plaster saint, drives them without the law transforms them into emotional highwaymen preying on the lives of others.

How many "separated" wives have broken up the simple romance of some young girl often perhaps, unintentionally, by luring her fiancé away from his wife? How many "separated" husbands have taken a greater measure of society and of affection from good women than their indefinite status gave them any right to?

SOLVES NO PROBLEM, BUT CREATES OTHERS.

The least sophisticated person must admit that these free licenses in the realm of emotion are dangerous to honor and decency. If men and women become suddenly endowed with affections at the marriage altar, if they are suddenly lost to them at the pronouncement of a decree of separation, then indeed divorce might be unnecessary.

But if Mrs. Deland will consider people as they are, not as they ought to be, she will have to admit that legal separation not only does not solve the problem of the individuals involved, but creates other problems. Divorce tends to limit its victims to the family immediately concerned in it. It is more or less a segregation of unhappiness and unrest. Judicial separation merely says that nowhere on earth may two human beings find love and happiness within the law, and turns them into the criminal or prey upon the innocent.

To say that individuals must not be divorced, that persons who dwell together in an intimacy which admits of nothing but love or loathing must under no circumstances be parted because of the effect on society, is like claiming that a gangster finger should not be cut off because it would leave the body imperfect.

DIVORCE IS SOCIAL SURGERY.

Divorce is social surgery, nothing more. Perhaps in this age there is a tendency to too much of it. Every heartache is diagnosed as incompatibility and cut out in the name of every pain, every pain carried appendicitis and operated for. It is the way of all innovations.

After a while we will settle down to a matter of fact acceptance of both knives. They will have ceased to be fads and become simple facts. Then society will marvel that there were once good and gifted women like Margaret Deland who thought that it must carry a social cancer in its bosom merely because it was a divorcee.

Medicine, however, those who heard Mrs. Deland's remarks on divorce and race suicide must marvel why she thinks we may regulate the number of our children and yet refrain from the legal number of husbands or wives.

For the law recognizes and enforces divorce. And good women have no more right to place themselves above the law, and sink others to their depth, than bad women have to hold themselves below it, and sink others to their depth.

Mrs. Deland says she would not take her happiness at the expense of her brother's. As society is constituted to-day, she dines at his expense, clothes herself at his expense, lives in ease and comfort at his expense, and she does only what we all do, while we have a brother alive that is without food and warmth and proper clothing.

We cannot be altruists in love any more than in life. And the survival of the fittest obtains in marriage as in everything else.

DREXEL, JR. AND FRIENDS HURT IN AUTO COLLISION.

PHILADELPHIA, March 11.—An automobile in which were riding Anthony J. Drexel, Jr.; H. Newell Guernsey, Benjamin Parker, all of this city, and three other men, was struck by a trolley car in the northern part of the city early to-day and the occupants thrown out.

The three young men named sustained lacerations of the face and hand. Their wounds were dressed by physicians in the neighborhood of the scene of the collision and the men were taken to their homes in the damaged automobile.

KING ALFONSO'S SECOND DAY IN BARCELONA JOYOUS.

BARCELONA, March 11.—The second day of King Alfonso's visit to Barcelona is passing as successfully as did yesterday. The weather is beautiful, and as the young King drove through the streets of the city he was again acclaimed with enthusiasm. There have been no disorders, nor has the day been marred by any unpleasant incident.

The King, accompanied by Premier Maura and Minister of Marine Fernandez, went on board the cruiser Princesa de Asturias, and surrounded by a detachment of small boats crowded to the city, he sailed out for a day's cruise. The King drove through the streets of the city he was again acclaimed with enthusiasm. There have been no disorders, nor has the day been marred by any unpleasant incident.

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MRS. MARGARET DELAND

TRIED TO KILL POLICEMAN AT DOOR OF COURT

Brothers of Two Men Just
Convicted Attack Cahill in
Criminal Courts Building.

A desperate and sensational attempt on the part of two young toughs to kill a policeman in the Criminal Courts Building during the noon recess to-day created a panic in the crowded corridors.

The assailants of the policeman tried to throw him over the railing around the second floor balcony to the stone surface of the court on the ground floor, and would have succeeded but for the prompt interference of officers who ran to the rescue.

Patrolman Cahill, of the East One Hundred and Twenty-sixth street station, had appeared during the morning in Part III. of the Court of General Sessions to testify against George Dugan and Michael Muldoon, charged with larceny. Dugan and Muldoon are members of the Canary Island gang, a crowd of young men resorting along the Harlem River, between One Hundred and Forty-second and One Hundred and Forty-fifth streets.

They were convicted on Cahill's testimony and remanded for sentence. When the decision was announced Cahill, who was in uniform, stepped out of the court-room, which is at the northeast corner of the building.

Mrs. Muldoon, the mother and John Muldoon, the brother of one of the prisoners, and Joseph Dugan, the brother of the other, were waiting at the door. As Cahill appeared, Muldoon and Dugan made a rush for him.

One of them hit him in the face and knocked him down. Then both dragged him to the balcony and tried to throw him over. Mrs. Muldoon screamed and the crowd of young men gathered around the balcony, shouting and waving their hats in the excitement of the scene. They were all arrested by the police.

Muldoon and Dugan were remanded in Court Street Court this afternoon on charges of assault. Magistrate Steiner held them for examination.

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FIANCEE NURSES MAN WHO SHOOT HIMSELF FOR HER

Young Ex-Soldier in Philip-
pines Recovering After His
Attempt to Die.

RUPTURE IS DENIED.

Shine's Rash Act on Porch of
Neighbor Is Mystery
of Riverdale.

It was reported from Fordham Hospital to-day that Thomas J. Shine, a young man who shot himself at the home of Mrs. George Murray, Twenty-second street and Spuyten Duyvil Road, on Saturday night, would recover and be released in a few days.

Shine is twenty-eight years old and lives at Two Hundred and Thirtieth street and Bailey Road. He had spent the evening with Mrs. Murray Saturday, and upon leaving her went out on the porch and put a bullet in his left lung.

The Murray home is back of the home of William Reilly, which is on Riverside Drive, and according to statements made by neighbors to-day Shine was engaged to Miss Alice Reilly, the youngest daughter of the wealthy contractor, until a short time ago when they quarreled.

This was denied to-day by Mrs. Murray, who is a friend of the Reillys. She said that Shine had served in the Quartermaster's Department in the army for the past ten years, several years in the Philippines, and that he had come home in November in broken health. He had been despondent over his weakened condition and not over a love affair, said Mrs. Murray.

Other friends of the Reillys, however, stated positively that the couple had been engaged and that brooding over a broken engagement had furnished the motive for the attempted suicide.

At the Reilly home to-day it was said that Miss Alice and her mother were at Shine's bedside in the hospital. A member of the family denied that there had ever been any broken engagement.

Shine was employed in an iron foundry in the Bronx up to the time of the shooting. An operation was performed on Sunday and the bullet, which had lodged over the heart removed. He will be out in a few days.

THREW BROTHERS OUT.

Dooley Testifies Against His Kin-
man in Vanderhelde Divorce.

The suit for absolute divorce brought by George Vanderhelde, a wealthy butcher of Brooklyn, against his wife, Margaret, came up for trial to-day, in the Kings County Supreme Court, before Justice Carr.

Mrs. Catherine Warren, sister of the eighteen-year-old co-respondent, Grover Dooley, testified that she and Vanderhelde had found her brother and Mrs. Vanderhelde at North Beach, and that while she pulled the woman's hair, the butler beat Dooley severely. Walter Dooley, the co-respondent's brother, said that Mrs. Vanderhelde and his brother hugged each other in her dining room. When Vanderhelde came home unexpectedly, he threw both Dooleys out.

ALLOWS ONLY DOCTORS TO USE X-RAY MACHINES.

(Special to The Evening World.)
ALBANY, March 11.—A bill to prevent the use of an X-ray machine by any person other than a registered physician was introduced to-day by Assemblyman Goldring.

A CHANGE OF BILL.

Instead of "The Masked Ball" announced for the popular performance at the Manhattan Opera House on Saturday night, there will be presented the double bill of "La Navarraise," with Gertrude Reiche and Dalmores, and "Pagliacci," with Boasi and Sammarco.

LIGHT BREAKS IN

Thoughtful Farmer Learns About Coffee.

Many people exist in a more or less happy condition, and it often takes years before they realize that coffee is the cause of the cloudiness, and that there is a simple way to let the light break in.

A worthy farmer had such an experience and tells about it, in a letter. He says:

"For about forty years I have had indigestion and stomach trouble in various forms. During the last 25 years I would not more than over one spell of bilious colic until an other would be on me.

"The best doctors I could get and all the medicines I could buy only gave me temporary relief.

"Change of climate was tried without results. I could not sleep night and day. I had rheumatism and my heart would palpitate at times so that it seemed it would jump out of my body.

"I came to the conclusion that there was no relief for me and that I was about wound up, when I saw a Postum advertisement. I had always been a coffee drinker, and got an idea from the ad. that maybe coffee was the cause of my trouble.

"I began to drink Postum instead of coffee and in less than three weeks I felt like a new man. The rheumatism left me, and I have never had a spell of bilious colic since.

"My appetite is good, my digestion never was better and I can do more work than before for 40 years.

"I haven't tasted coffee since I began drinking Postum. My wife makes it according to directions and I relish it as well as I ever did coffee, and it was certainly a slave to coffee." There's a Reason.

Name given by Postum Co., Battle Creek, Mich. Read "The Road to Wellville," in pags.

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MRS. HARRY THAW ASKS FREEDOM, NO SETTLEMENT

Papers Served on Prisoner in
Matteawan Demand an
Annulment.

ALLEGES HIS INSANITY.

Mother of White's Slayer is
Said to Encourage Action
of Young Woman.

Papers in the suit of Evelyn Nesbit Thaw against Harry K. Thaw for the annulment of their marriage were served to-day upon Thaw at Matteawan Insane Asylum and upon his mother, Mary Conley Thaw, at the Hotel Lorraine.

Thaw's mother is a co-defendant, for the reason that Thaw, in the eyes of the law, is an incompetent, and she is his guardian as his next of kin.

A subpoena served from the office of Daniel O'Reilly, Evelyn Thaw's lawyer, went to Matteawan on the 11 o'clock train with the notice to be served upon Thaw. Mrs. Mary Thaw was served at her hotel at noon.

The complaint in Evelyn Nesbit Thaw's action is brief, simply reciting that Thaw at the time of his marriage, and subsequently was insane.

Of course, the contention that he was mentally disabled embraces the period from the date of his marriage up to and including June 26, 1906, when he shot and killed Stanford White. Inasmuch as he has been in close confinement since that date, there will be no necessity in building up the annulment suit to take testimony upon his present mental condition or the condition of his mind at the date of either of his trials.

Thaw has instructed his counsel, Mr. Peabody, to contest the suit. But his mother is not at all averse to letting the law set the marriage aside. As long as Thaw is insane in the eyes of the law and confined by mandate of a court in an insane asylum his position is of no particular effect.

No Financial Settlement.

Daniel O'Reilly stated to-day that no terms of settlement have been agreed upon between Evelyn Nesbit Thaw and Harry Thaw's people. There has been a report current that Evelyn Thaw had demanded from the Thaw estate \$50,000 in cash and \$15,000 a year for life, and that Mrs. Mary Thaw had consented to the payment of these sums.

"That report," said Mr. O'Reilly, "is on a par with the many others printed within the past week which to-day's proceedings have proved false. Of course my client is entitled to an allowance from her husband's estate commensurate with his wealth. But no demand has been made by my client, and any offer been made by her husband or her husband's people."

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deny is that Mrs. Thaw contemplates going on the stage. She has no such intention. She has no plans for the future.

The annulment proceedings will be heard by a judge of the Supreme Court without a jury. Mrs. William Thaw, while technically defending the suit, will do her utmost to show that her son was not in a proper state of mind at the time he contracted the marriage. Evelyn Thaw will be the principal witness.

Chief in the evidence of insanity will be his will, written the night before his marriage. In this Thaw made provision for girls who he said had been wronged by men. The wife will testify that she believes Thaw insane, and that if it were not for the fact that she would be unsafe from attack by